REMARKS

This amendment responds to the office action mailed January 28, 2009. In the office action the Examiner:

- rejected claims 1-4, 6-7, 9-20, 22-24, 27-30, 32-33, 35-46, 48-49 and 51-59 under 35 U.S.C. 103(a) as being unpatentable over *Breese* et al. (US 6,006,218) in view of *Konig* et al. (US 6,981,040) further in view of *Li* et al. (US 6,647,381);
- rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over *Breese*, *Konig* and *Li*, further in view of *Gerace* (US 5,848,396);
- rejected claims 8, 34, and 50 under 35 U.S.C. §103(a) as being unpatentable over *Breese* in view of *Konig*, further in view of *Li* and *Gabriel* et al. (US 6,584,468); and
- rejected claims 25-26 under 35 U.S.C. §103(a) as being unpatentable over *Breese* in view of *Konig*, further in view of *Li* and *Dumais* et al. (US 2004/0267700).

In this response, claims 1-3, 18, 27-29, and 43-45 have been amended. Claims 1, 27 and 43 have been amended to ensure clarity of the first element ("accessing a user profile for a user, wherein content of the user profile is generated from user information…"). Support for the changes to claims 1, 27 and 43 is found in at least Figure 10 and paragraphs 0009, 0031, 0051 and 0078-0081 of the application as filed. Claims 1, 18, 27 and 43 have been amended to require that the ranked subset of search result documents are provided "to a client system associated with the user." Support for these changes to claims 1, 18, 27 and 43 is found in at least Figure 1 and paragraphs 0029 and 0070 of the application as filed. No new matter has been added as a result of any of the amendments.

New claims 60-62 have been added. Support for the new claims 60-62 can be found at least in ¶0032 of the specification as filed and in previously pending claims 1, 27 and 43.

With respect to all amendments, Applicants have not dedicated or abandoned any unclaimed subject matter. Moreover, Applicants have not acquiesced to any characterizations of the invention, nor any rejections or objections of the claims, made by the Examiner. After entry of this amendment, the pending claims remain: claims 1-4, 6-30, 32-46 and 48-62.

Claim Rejections under 35 USC 103

To establish prima facie obviousness of a claimed invention, all the claim elements must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580

(CCPA 1974). Finding all the claim elements in the prior art is necessary, but not sufficient. *KSR Intern. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007) ("a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art"). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). "During patent examination, the pending claims must be 'given their broadest reasonable interpretation consistent with the specification.'" MPEP § 2111 citing *Phillips v. AWH Corp.*, 415 F.3d 1303, 1316, 75 USPQ2d 1321, 1329 (Fed. Cir. 2005).

Applicants respectfully submit that the cited references, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 18, 27 and 43.

Claim 1, as amended, requires:

> "accessing a user profile for a user, wherein content of the user profile is generated from ***user information that includes information derived from anchor text contained in documents that link to documents accessed by the user***...." (Emphasis Added).

Indeed, as discussed in the specification as filed, using "information derived from anchor text contained in documents that link to documents accessed by the user" can provide useful hits about the user's personal search preferences:

> Similarly, the universal resource locators (URL) 203 associated with the search results in response to the previous search queries and their corresponding anchor texts 205, especially for search result items that have been selected or "visited" by the user (e.g., downloaded or otherwise viewed by the user), are helpful in determining the user's preferences. (Paragraph 0031 of the specification as filed).

As acknowledged by the Examiner, *Breese* and *Konig* are silent about and does not teach or suggest using "information derived from anchor text contained in documents that link to documents accessed by the user," as required by the claim. (Office action dated 01-28-09, p. 5).

The Examiner relies on *Li* as teaching this limitation and cites col. 9, lines 7-12, col. 7, lines 45-65 and Figure 2, Rule 6 of *Li*. In the areas cited by the Examiner and elsewhere *Li*

discloses a method for determining if a web page is a "logical domain entry page" for navigation. (*Li*, col. 7, lines 19-24 and 48-60; col. 9, lines 9-10). *Li* discloses:

> Turning now to FIG. 2, there is presented an exemplary set of rules and scoring functions for use in the method of logical domain definition of the present invention. As can be appreciated by a close examination of FIG. 2, the rules consider each page in the physical domain **and identify logical domain entry pages based upon**: available Web page metadata describing the content of the page, such as title, URL string, and **anchor text**; and link structures including popularity by citation. (*Li*, col. 7, lines 55-63; Figure 2).
>
> Rule 6: If a page, A, contains a link pointing to another page, B, with the phrase "home," "go home," or "return home" in the anchor, there is a high probability that the page being pointed to (i.e.: page B) is a logical domain entry page. (*Li*, col. 9, lines 7-10; Figure 2).

Thus, *Li* discloses using information derived from anchor text contained in a page (Page A) that links to another page (Page B). But, *Li*'s Page B is not a "document accessed by a user," as required by claim 1. Further, *Li* uses the anchor text information in order to determine whether or not Page B is a "logical domain entry page." In contrast, claim 1 requires that "content of the user profile of a user is generated from user information that includes information derived from anchor text contained in documents that link to documents accessed by the user."

Thus, like *Breese* and *Konig*, *Li* also does not teach or suggest "accessing a user profile for a user, wherein content of the user profile is generated from user information that includes information derived from anchor text contained in documents that link to documents accessed by the user," as required by claim 1, as amended.

Further, none of *Gerace*, *Gabriel* and *Dumais* supplies the missing limitations. None of *Gerace*, *Gabriel* and *Dumais* teaches or suggests "accessing a user profile for a user, wherein content of the user profile is generated from user information that includes information derived from anchor text contained in documents that link to documents accessed by the user," as required by claim 1, as amended.

As none of the cited references teach each and every limitation of claim 1, amended claim 1 (and associated dependent claims) are patentable over the cited references. Independent claims 18, 27 and 43, as amended, (and associated dependent claims) are also

patentable over the cited references for analogous reasons as those discussed with reference to claim 1.

Claim 18. In addition, with respect to claim 18 and its dependent claims, (as explained in more detail below) *Breeze* and *Konig* do not teach (A) "generating a personalized query strategy from the search query and the user profile;" and then (B) "selecting a personalized set of documents from the Internet according to the personalized query strategy." In both *Breese* and *Konig*, personalized information is used only to "post process" results produced by a search engine in response to a search query. See, for example, Fig. 19 of *Konig* and Fig. 2C (operations 230, 231 and 234, in that order) of *Breese*. In *Breese*, the very name of the "retrieval result adjusting module" 134, as well as the explanatory text at col. 6, lines 60-66, and col. 12, lines 32-48, teaches that the retrieval result adjusting module 134 of *Breese* ranks or re-ranks search results. But there is no discussion in *Breese* whatsoever about changing the search query or search query strategy used to produce a list of search results.

It is noted that in claim 18, the personalized search query is generated prior to "selecting a personalized set of documents" because the "selecting" is performed "according to the personalized search strategy." Also, claim 18 requires the "personalized search strategy" is generated not just from the user profile, but also "from the search query." These aspects of claim 18, and its dependent claims, are not taught by *Breese* and *Konig*. For at least these additional reasons, claim 18 and its dependent claims are patentable over the combined teaches of the cited references.

By responding in the foregoing remarks only to particular positions asserted by the examiner, the Applicants do not necessarily acquiesce in other positions that have not been explicitly addressed. In addition, the Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

CONCLUSION

In light of the foregoing, the Applicants respectfully request that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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